IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 9885 of 2005

Between:

1 M.Lakshmi Devi W/o.Pedda Maddaleti
R/o. Mallivemula Village, Chagalimarri Mandal, Kurnool District.
2 C.Nagamma W/o. Peddavobanna
R/o. Mallivemula Village, Chagalimarri Mandal, Kurnool District.

... PETITIONERS

AND

1 The Mandal Revenue Officer, Chagalamarri Mandal, Kurnool District.
2 The Mandal Educational Officer Chagalamarri Mandal, Kurnool District.
3 Ramalakshmamma, Mallevemula Village, Chagalamarri Mandal, Kurnool

District.
4 Smt.Balasanjamma, Mallevemula Village, Chagalamarri Mandal, Kurnool

District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a direction more particularly writ of certiorari calling for the records of the 1st respondent in his Proceedings Rc.B 62/2005 dt.26.2.2005 and to quash the same as arbitrary, illegal, unconstitutional and violative of principles of natural justice and consequently direct the 1st respondent to continue the petitioners group for implementing the Mid-day Meals Scheme for Mallivemula Village, Chagalimarri Mandal, Kurnool District.

Counsel for the Petitioners: MR.S.DUSHYANTH REDDY

Counsel for the Respondents 1 & 2: GP FOR EDUCATION

Counsel for the Respondent 3 & 4: ---NONE APPEARED---

The Court at the admission stage made the following:

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Education appearing for the respondents 1 and 2.

The petitioners herein claim to be the group leaders of Chairanya Podupu Laxmi Group, which was appointed as Mid-day meal implementing agency for the Mandal Praja Parishad School in the year 2002 in Mallivemula village, Chagalimarry Mandal, Kurnool District. It appears that certain complaints were received from the villagers stating that Chaitanya Podupu Laxmi Group leaders have indulged in several irregularities in implementing the Mid-day meal programme, the first respondent Mandal Revenue Officer Chagalamarri Mandal, having conducted an enquiry, by proceedings dated 26-02-2005 entrusted the work of preparation of food under the scheme, to another Podupu Laxmi Group, represented by the respondents 3 and 4 herein. The petitioners, aggrieved by the said order, filed this writ petition.

At the out set, it is to be noted that the Midday Meal Scheme is a non-statutory scheme. The guidelines prescribed under G.O.Ms.No.94 Education (SE-PROG-1) Department dated 25-11-2002 under which the Midday School Scheme has been decided to be implemented do not confer any right on the petitioners which can be enforced by invoking extraordinary jurisdiction of this Court under Article 226 of the Constitution of India. That apart, under G.O.Ms.No.94, dated 25-11-2002 the Joint Collector of the concerned District is the authority to monitor the process of selection and functioning of the implementing agencies. In the circumstances, the petitioners ought to have approached the Joint Collector for redressal of their grievance.

Accordingly, without expressing any opinion on merits, the writ petition is disposed of granting leave and liberty to the petitioners to prefer an appeal before the Joint Collector against the order dated 26-02-2005. If any such appeal is preferred by the petitioners, the same shall be entertained and disposed of, in accordance with law, as expeditiously as possible, preferably

within a period of four weeks from the date of filing such appeal.

The Writ Petition is accordingly disposed of. No order as to costs.

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G. ROHINI, J

Dated: 27-04-2005

LSK

To

1 The Mandal Revenue Officer, Chagalamarri Mandal, Kurnool District.
2 The Mandal Educational Officer Chagalamarri Mandal, Kurnool District.
3 Two C.Cs. to the G.P. for Education, High Court buildings, Hyderabad.
(OUT)

4 Two CD copies.